

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 02-0307 DAE
)
Plaintiff,) FIRST SUPPLEMENTAL
vs.) DECLARATION OF ROBERT
) PATTEN
LENORA JEAN AITCHISON,)
)
Defendant.)

FIRST SUPPLEMENTAL DECLARATION OF ROBERT PATTEN

I, Robert Patten, declare as follows:

1. I earlier provided a declaration regarding a video tape I made of police activity occurring on June 22, 2002.
2. In addition to what I swore to then, I have been asked by Lori Aitchison whether I can recall seeing No Trespassing signs that were put up on her property prior to this date.
3. I do remember seeing Ms. Aitchison's driveway before the police came to her home on June 22, 2002. On those occasions, I recall there were No Trespassing signs along the roadway fronting her property as well as one attached to a cement pillar that anchors a chain across the driveway, and there was one attached to a tree along the right side of her driveway as goes down the driveway. Both the sign attached to the cement pillar and the sign attached to the tree were in the same position as they appear in Exhibits 2 and 3 but for the tilt of the sign on the concrete pillar.

I declare under penalty of perjury that the foregoing statements are true & correct.

Executed in Hilo, Hawaii this 2 day of May, 2006


Declarant

EXHIBIT 5